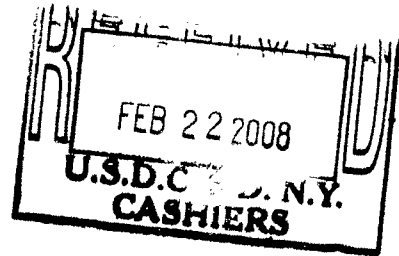


Slade R. Metcalf (SM 8360)  
Jason P. Conti (JC 0581)  
Laura M. Leitner (LL 4222)  
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*Attorneys for Defendants  
Monica Levinson, Twentieth Century Fox  
Film Corporation, One America  
Productions, Inc., and Todd Schulman*



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Kathie Martin,

Plaintiff,

— against —

Dan Mazer, Anthony Hines, Larry Charles,  
Peter Baynham, Monica Levinson, Jay  
Roach, Todd Phillips, Everyman Pictures,  
Twentieth Century Fox Film Corporation,  
One America Productions, Inc., Gold/Miller  
Productions, Springland Films, Dune  
Entertainment, LLC, MTV Networks d/b/a  
Comedy Central, Dakota North  
Entertainment, Inc., Four by Two  
Production Company, Sacha Baron Cohen,  
Todd Schulman, and John Does Nos. 1-5,

Defendants.  
-----X

08 CV 1828  
Case No. 08 CV 1828

**NOTICE OF REMOVAL OF DEFENDANTS MONICA LEVINSON,  
TWENTIETH CENTURY FOX FILM CORPORATION,  
ONE AMERICA PRODUCTIONS, INC., AND TODD SCHULMAN**

TO: CLERK, UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants Monica Levinson (“Levinson”), Twentieth Century Fox Film Corporation (“Fox”), One America Productions, Inc. (“One America”), and Todd Schulman (“Schulman”) (collectively, “Removing Defendants”), by their undersigned counsel, hereby file this Notice of Removal of the action styled *Kathie Martin v. Dan Mazer, Anthony Hines, Larry Charles, Peter Baynham, Monica Levinson, Jay Roach, Todd Phillips, Everyman Pictures, Twentieth Century Fox Film Corporation, One America Productions, Inc., Gold/Miller Productions, Springland Films, Dune Entertainment, LLC, MTV Networks d/b/a Comedy Central, Dakota North Entertainment, Inc., Four by Two Production Company, Sacha Baron Cohen, Todd Schulman, and John Does Nos. 1-5*, Index Number 114203/07, currently pending in the Supreme Court of the State of New York, County of New York (the “State Court Action”), and state as follows:

1. Plaintiff Kathie Martin (“Plaintiff”) filed a Summons With Notice (the “Summons”) with the Supreme Court of the State of New York, County of New York, on October 22, 2007. A true and correct copy of the Summons is attached hereto as Exhibit A. Plaintiff has not filed nor served a Complaint in this action.

2. Counsel for Removing Defendants accepted service of the Summons on behalf of Fox and One America on February 11, 2008. Counsel for Removing Defendants accepted service of the Summons on behalf of Levinson and Schulman on February 18, 2008. Upon information and belief, at the time of this Notice, no other defendant has been properly served or joined in this action.

3. Levinson, at the time this action was filed and as of the date of this Notice, was and is a citizen of the State of California.

4. Fox, at the time this action was filed and as of the date of this Notice, was and is a corporation incorporated under the laws of the State of Delaware, having its principal place of business in California.

5. One America, at the time this action was filed and as of the date of this Notice, was and is a corporation incorporated under the laws of California, having its principal place of business in California.

6. Schulman, at the time this action was filed and as of the date of this Notice, was and is a citizen of the State of California.

7. Upon information and belief, and according to the Summons, at the time this action was filed and as of the date of this Notice, none of the non-Removing Defendants are New York citizens, with the exception of Dune Entertainment, LLC ("Dune") and possibly MTV Networks d/b/a Comedy Central ("MTV").

8. According to the Summons, Plaintiff was and is a citizen of the State of Alabama.

9. The amount in controversy in this action exceeds, exclusive of interest and costs, the sum of Seventy-Five Thousand Dollars (\$75,000.00). In the Summons, Plaintiff alleges that she is entitled to damages based on "commercial misappropriation, fraud, unjust enrichment, invasion of privacy, and intentional infliction of emotional distress". *See* Exhibit A. Based on the causes of action contained in the Summons, Removing Defendants contend and state upon information and belief, that Plaintiff is seeking more than \$75,000 in damages, exclusive of interests and costs.

10. This court has original jurisdiction over this action pursuant to the provisions of 28 U.S.C. § 1332 because Plaintiff and Removing Defendants Levinson, Fox, One America, and Schulman, the only-served defendants in this action, and defendants Dan Mazer, Anthony Hines,

Larry Charles, Peter Baynham, Jay Roach, Todd Phillips, Everyman Pictures, Gold/Miller Productions, Springland Films, Dune, MTV, Dakota North Entertainment, Four by Two Production Company, and Sacha Baron Cohen, were at the time this action was filed and as of the date of this Notice are citizens of different states and the amount of controversy is in excess of \$75,000.00, exclusive of interests and costs.

11. This action is properly removed to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. § 1441(a), in that said District Court embraces the state court where the State Court Action was filed.

12. Removing Defendants desire to remove this action to this Court and submit this Notice, along with all other process, pleadings and orders that have been served upon it. *See* Exhibit A. Removing Defendants have not filed any appearance, answer or other pleadings in the State Court Action. Removing Defendants are not aware of any other process, pleadings, or orders filed in the State Court Action.

13. Written notice of the filing of this Notice of Removal is being given to Plaintiff. A copy of this Notice of Removal and supporting papers is being filed with the Supreme Court of the State of New York, County of New York, as required by 28 U.S.C. § 1446(d).

14. This Notice is filed with this Court within 30 days after the Removing Defendants were formally served with the Summons in this case. Removal is, therefore, timely pursuant to 28 U.S.C. § 1446(b) and *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999).

15. Removing Defendants do not waive any objections they may have to service, jurisdiction, or venue, and any other defenses or objections to this action.

WHEREFORE, Removing Defendants Monica Levinson, Twentieth Century Fox Film Corporation, One America Productions, Inc., and Todd Schulman pray that the State Court Action be removed to this Court.

Dated: February 22, 2008

Respectfully submitted,

HOGAN & HARTSON LLP

By: 

Slade R. Metcalf (SM 8360)

Jason P. Conti (JC 0581)

Laura M. Leitner (LL 4222)

HOGAN & HARTSON LLP

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New York, New York 10022

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Fac. (212) 918-3100

*Attorneys for Defendants*

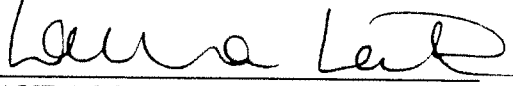
*Monica Levinson, Twentieth Century Fox  
Film Corporation, One America  
Productions, Inc., and Todd Schulman*

**CERTIFICATE OF SERVICE**

I, Laura M. Leitner, hereby certify that on February 22, 2008, I caused a true and correct copy of the foregoing Civil Cover Sheet, Notice of Removal of Defendants Monica Levinson, Twentieth Century Fox Film Corporation, One American Productions, Inc., and Todd Schulman, Statement of Defendant Twentieth Century Fox Film Corporation Pursuant to Federal Rule of Civil Procedure 7.1, and Statement of Defendant One America Productions, Inc. Pursuant to Federal Rule of Civil Procedure 7.1 to be served upon:

Adam Richards, Esq.  
ADAM RICHARDS LLC  
40 Fulton Street, 7<sup>th</sup> Floor  
New York, New York 10038  
*Attorneys for Plaintiff*

by Federal Express.

  
\_\_\_\_\_  
LAURA M. LEITNER (LL 4222)

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**Kathie Martin,**

Plaintiff,

- against -

**Dan Mazer, Anthony Hines, Larry Charles,  
Peter Baynham, Monica Levinson, Jay  
Roach, Todd Phillips, Everyman Pictures,  
Twentieth Century Fox Film Corporation,  
One America Productions, Inc., Gold/Miller  
Productions, Springland Films, Dune  
Entertainment, LLC, MTV Networks d/b/a  
Comedy Central, Dakota North  
Entertainment, Inc., Four by Two  
Production Company, Sacha Baron Cohen,  
Todd Schulman, and John Does Nos. 1-5,**

Defendants.

Index No. 114203/07

**SUMMONS WITH NOTICE**

Plaintiff designates  
NEW YORK COUNTY  
as the place of trial.  
The basis of venue is  
a forum-selection clause.  
Plaintiff resides in  
Birmingham, Alabama.

**TO THE ABOVE-NAMED DEFENDANTS:**

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff, within twenty (20) days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

The nature of this action is commercial misappropriation, fraud, unjust enrichment, invasion of privacy, and intentional infliction of emotional distress, seeking damages in an amount to be determined by a jury. Upon your failure to appear, judgment will be taken against you by default.

Dated: October 22, 2007  
New York, New York

By: 

Adam Richards

To:  
Dan Mazer  
c/o Benjamin R. Reder  
421 South Beverly Drive  
8th Floor  
Beverly Hills, CA 90212

NEW YORK  
COUNTY CLERK'S OFFICE

OCT 23 2007

NOTED & FILED  
WITH COPY FILE

Anthony Hines  
6620 West 3rd Avenue  
Apartment 324  
Los Angeles, CA 90036

| Larry Charles  
1825 N Cherokee Ave  
Los Angeles, CA 90028

Peter Baynham  
10960 Wilshire Boulevard  
Suite 2150  
Los Angeles, CA 90024-3811

Monica Levinson  
146 South Clark Drive  
Apartment 301  
West Hollywood, CA 90048-3240

Jay Roach  
1530 Corte De Las Piedras  
El Cajon, CA 92019-2856

Todd Phillips  
4499 Via Marisol  
Apartment 118  
Los Angeles, CA 90042-5132

Everyman Pictures  
c/o Howard Abramson  
2049 Century Park East  
Suite 2690  
Los Angeles, CA 90067

Twentieth Century Fox Film Corporation  
c/o Gary D. Roberts  
10201 West Pico Boulevard  
Los Angeles, CA 90035

One America Productions, Inc.  
c/o Benjamin R. Reder  
421 South Beverly Drive  
8th Floor  
Beverly Hills, CA 90212



Gold/Miller Productions, Inc.  
c/o Eric Gold  
9200 Sunset Boulevard  
10th Floor  
Los Angeles, CA 90069

Springland Films  
c/o Benjamin R. Reder  
421 South Beverly Drive  
8th Floor  
Beverly Hills, CA 90212

Dune Entertainment, LLC  
c/o CT Corporation System  
111 Eighth Avenue  
New York, NY 10011

MTV Networks d/b/a Comedy Central  
c/o Corporation Service Company  
P.O. Box 526036  
Sacramento, CA 95582-6036

Dakota North Entertainment, Inc.  
c/o Troy Miller  
4133 Lankershim Boulevard  
North Hollywood, CA 91601

Four by Two Production Company  
10201 West Pico Boulevard  
Los Angeles, CA 90035

Sacha Baron Cohen  
c/o Benjamin R. Reder  
421 South Beverly Drive  
8th Floor  
Beverly Hills, CA 90212

Todd Schulman  
c/o Benjamin R. Reder  
421 South Beverly Drive  
8th Floor  
Beverly Hills, CA 90212

Index No.:

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

KATHIE MARTIN,

Plaintiff,

-against-

DAN MAZER, ANTHONY HINES, LARRY CHARLES, PETER BAYNHAM, MONICA LEVINSON, JAY ROACH, TODD PHILLIPS, EVERYMAN PICTURES, TWENTIETH CENTURY FOX FILM CORPORATION, ONE AMERICA PRODUCTIONS, INC., GOLD/MILLER PRODUCTIONS, SPRINGLAND FILMS, DUNE ENTERTAINMENT, LLC, MTV NETWORKS D/B/A COMEDY CENTRAL, DAKOTA NORTH ENTERTAINMENT, INC., FOUR BY TWO PRODUCTION COMPANY, SACHA BARON COHEN, TODD SCHULMAN, AND JOHN DOES NOS. 1-5,

Defendants.

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**SUMMONS WITH NOTICE**

---

ADAM RICHARDS LLC  
Attorneys for Plaintiff Kathie Martin

Office and Post Office Address  
40 FULTON STREET, 7<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10038  
(212) 233-4400

Attorney(s) for \_\_\_\_\_

To: \_\_\_\_\_

Service of a copy of the within  
Dated, \_\_\_\_\_

is hereby admitted

Attorney(s) for \_\_\_\_\_

Sir: \_\_\_\_\_

Please take notice

**NOTICE OF ENTRY**

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

20\_\_

**NOTICE OF SETTLEMENT**

that an order  
settlement to the HON.  
of the within named court, at  
on the \_\_\_\_\_ day of \_\_\_\_\_

of which the within is a true copy will be presented for  
one of the judges

20\_\_ at \_\_\_\_\_

Dated, \_\_\_\_\_

Yours, etc.,

ADAM RICHARDS LLC

Attorneys for Plaintiff

Kathie Martin

Office and Post Office Address  
40 FULTON STREET, 7<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10038

To: \_\_\_\_\_